CITY OF HAYWARD

AGENDA REPORT

AGENDA DATE 06/06/00

AGENDA ITEM _____

WORK SESSION ITEM WS #3

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Sidewalk Rehabilitation Program

RECOMMENDATION:

It is recommended that the City Council consider a policy for continuation of the Sidewalk Rehabilitation Program.

BACKGROUND:

On November 16, 1993, after considering various options, the City Council approved a cost-sharing sidewalk rehabilitation program in which sites were selected for sidewalk repair, by lottery, from property owner's applications. The selected owners then agreed to pay 50 percent of the sidewalk replacement costs with the City paying the remaining costs. All owners who originally applied for the lottery have now had their sidewalk repaired through six annual projects for a total program cost of $2,043,000, which repaired 867 locations. Owners paid an average of $425 per location as their share of the sidewalk repair; the City paid an average of $2,050 per location as its share of the design work, sidewalk repair, tree removal, curb and gutter repair, and inspection. Overall average costs per site have been increasing because of inflation and the need to do more curb and gutter and tree work. The average cost per site in the last contract was about $2,800.

It is estimated that over 6,100 locations are still in need of repair, which would cost about $13 million. It is also estimated that over 340 of these locations have greater than three inches of sidewalk "lift" and another 480 locations have greater than two inches of sidewalk "lift." Sidewalk "lift" is measured as shown on Exhibit A and is either the amount of grade change or step separation between adjacent sections of sidewalk. Exhibit B shows the estimated number of remaining sidewalk repair locations in each of the City's tree maintenance districts; the tree maintenance district boundaries are shown in Exhibit C. The unit costs shown in Exhibit B are a rough estimate of the cost to repair sidewalks with varying amounts of lift.

Last year, the City Council requested that staff evaluate how to restructure the present program to eliminate the lottery system with its high administrative cost and achieve a more comprehensive program that uses available funds more effectively. Several aspects of a new program need to be considered, including the selection method for repair locations, the amount and method for an owner contribution, and the amount of funding to be allocated.

SELECTION OPTIONS:

In terms of a fair selection process for property owners, staff anticipates a significant concern from property owners as to why one sidewalk was repaired compared to another or why the work is not occurring on their street. Staff has identified four possible approaches that could be used to prioritize selection of repair sites. Each has its own advantages and disadvantages.

In considering **each** option, the issue of preserving the urban forest should be considered. Experience with the existing program has indicated that, in most cases, the street-tree must be totally removed in order to repair the sidewalk, curbs, and gutter. Since some streets may have a substantial number of locations that qualify under the various options, consideration should be given to allowing some of the street trees to remain while the newly planted trees are establishing themselves.

As in the present program, under each option, consideration would also be given to curving the sidewalk around premier specimen trees. Specifically, curving the sidewalk would be considered when it does not compromise pedestrian safety and the property owner agrees to provide an easement for the new sidewalk location.

Option 1: Worst Displacement

One option would be to repair the locations with the greatest lift first. It is estimated that about 340 locations have greater than three inches of sidewalk lift and another 480 locations have greater than two inches of sidewalk lift. These are also the locations that are most difficult to patch with temporary asphalt concrete. This option would provide for improved visual impact in many neighborhoods; however, since repair areas would be citywide, improved visual impact might not be significant in any one area. This option also might not provide for continuous level pedestrian travel, since some sidewalk displacements along a travel way might not be severe enough to qualify.

Option 2: Worst Block Face by District

Under the second option, all the damaged sidewalks on a selected block face would be repaired, although for lifts less than one inch, grinding to remove the tripping hazard would be done. This option would mitigate some of the effects of tree removal, since the City would first remove the trees and replace the sidewalks along only one side of a street, while retaining the more mature trees along the other side of the street. The trees on the other side of the street would then be removed and replaced in a later year. Street blocks with the greatest amount of high sidewalk lifts would be selected for repair first. Available funding each year could be allocated by district based on the number of block faces with the greatest number of high sidewalk lifts. This option would also provide a safe walking route along one side of a street and improve the visual impact along the streets in many neighborhoods. However, it would leave unrepaired sidewalks right across the street from newly repaired sidewalks, and it may be some time before funding allows other nearby blocks to be repaired.

Option 3: Worst District First

A third option would be to repair all damaged sidewalk locations within one of the City's tree maintenance districts at a time, beginning with the district with the greatest number of locations in need of repair. If the repairs were concentrated in one or two districts, there would be a substantially improved appearance, safer pedestrian travel, and better street

drainage in those neighborhoods. Construction costs per location would also be less since the work would be concentrated. However, it would be quite possible that all the funding over several years might not be enough for even the worst two districts, and there would be **no** money left for the other districts. Also, the districts being repaired would experience significant deforestation, as discussed above.

Option 4: Heaviest Pedestrian Use

A fourth option would be to repair sidewalk locations along more heavily traveled pedestrian ways. Sidewalks would be repaired first along routes within residential areas to schools, parks, churches, or shopping areas. Routes with the greatest amount of lifts and the greatest amount of pedestrian usage would be selected first. Again, all damaged sidewalks on a route would be repaired with the less than one-inch lift locations being ground. This would provide pedestrians with safer routes to activity centers within neighborhoods. It would also improve the visual appearance along the most heavily traveled areas. Since tree removal would only be along one side of a street, the visual impact would be similar to Option 2. This option also would leave unrepaired sidewalks right across the street from repaired sidewalks. Also, since heavy pedestrian usage is generally on collector streets, there would be less sidewalk repair along purely local residential streets.

COST-SHARING ISSUES:

Since so many of our property owners have voluntarily participated in a cost-sharing program, another policy issue is whether in the future property owners should also share a portion of the financial burden. All locations where property owners volunteered to pay a portion of the cost under the lottery system have been addressed. It is therefore anticipated that requiring a financial contribution from property owners whose sidewalk is repaired by the City would be necessary, if a cost-sharing approach were continued. The following discussion is based on the premise that the Council would want some cost sharing in any future program and addresses how that might be implemented.

The California Streets and Highways Code clearly states that it is the responsibility of the property owner to maintain the sidewalk in a safe condition. Thus, the City could, after applying one of the selected criteria above, notify the affected property owners of the need for them to repair their sidewalks with an explanation of the City's program. After a reasonable time, if the property owner had not complied, the City could repair the sidewalks and bill the property owner a share of the cost. If the owners fail to pay voluntarily, the City has several alternatives. One alternative would be to lien the property and implement an appeal process similar to the existing weed abatement program. Another alternative would be to simply turn the unpaid bill over to a collection agency. It would be reasonable to expect that some property owners on a fixed income or with minimum resources might have difficulty paying their cost-share. Procedures might be desired to determine if anyone should be exempt from the cost-share or given more time to pay.

The cost-sharing amount could be determined in several ways. There could be a continuation of the present method, which requires calculation of 50 percent of the sidewalk repair costs for each property and bills the property owner for that amount. This would result in the greatest administrative workload. Alternatively, a nominal payment, perhaps $425, could be billed for

each location repaired. Under the existing program, a property owner pays an average of $425 per location.

The advantages of a cost-sharing program are that it requires a similar sharing to that required of property owners during the past six years and it would result in more funding (City plus owner) available for the necessary repairs. Cost sharing does have a significant administrative cost impact, since staff would need to respond to property owners who do not want to pay.

FUNDING:
This year's draft Capital Improvement Program includes $940,000 for sidewalk rehabilitation work in fiscal year 2000-2001, which would fund the repair of about 335 to 395 locations, depending on the severity of the repairs and the property owner cost-sharing amount. This 'one time' amount is available based on funding carried over from previous years plus revenue from the sale of surplus property. In future years, the proposed budget only shows $270,000 based on continued transfers from the Route 238 Trust Fund. To implement a more comprehensive program, as suggested above, would require additional funding to be effective.

CONCLUSION:
Based on the discussion above, staff recommends that the City Council consider a selection method for repair locations and an amount and method of owner cost-sharing. At a future City Council work session, staff will refine the policy and include funding options and staffing implications for sustaining a more comprehensive program over a longer time.

Prepared by:

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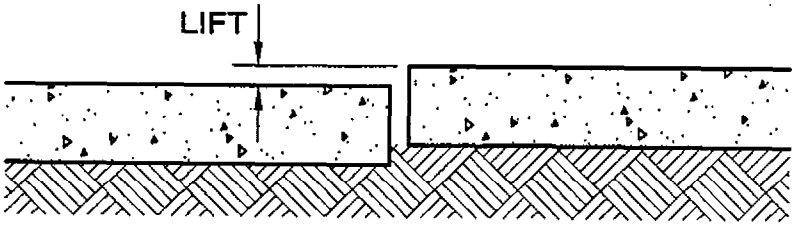
Recommended by:

Dennis L. Butler, Director of Public Works

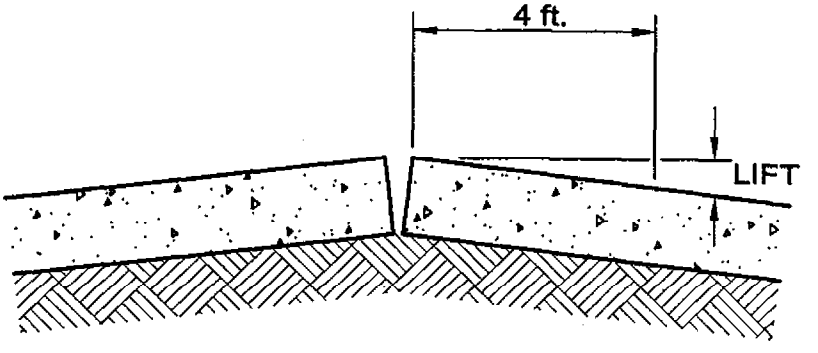
Approved by:

Jesús Armas, City Manager

Attachments: Exhibit A: Sidewalk Repair Criteria
Exhibit B: Sidewalk Rehabilitation - Future Identified Needs
Exhibit C: Tree Maintenance Districts



STEP SEPARATIONS



GRADE CHANGE

SIDEWALK LIFT

Exhibit A

SUMMARY OF SIDEWALK REHABILITATION
FUTURE IDENTIFIED NEEDS

DISTRICT NUMBER	STATUS (TREE LOCATION)	NO. OF LOCATIONS	UNIT COST	TOTAL COST
1 Downtown	Lift equal to and greater than 3"	23	3,900	89,700
	Lifts equal to 2" and less than 3"	33	3,490	115,170
	Lifts equal to 1" and less than 2"	276	2,200	607,200
	Lift less than 1"	214	1,500	321,000
TOTAL		**546**		**1,133,070**
2 Orchard/ Hayward Hills	Lift equal to and greater than 3"	4	3,900	15,600
	Lifts equal to 2" and less than 3"	19	3,490	66,310
	Lifts equal to 1" and less than 2"	195	2,200	429,000
	Lift less than 1"	168	1,500	252,000
TOTAL		**386**		**762,910**
3 Huntwood/ Tyrrell	Lift equal to and greater than 3"	27	3,900	105,300
	Lifts equal to 2" and less than 3"	32	3,490	111,680
	Lifts equal to 1" and less than 2"	298	2,200	655,600
	Lift less than 1"	146	1,500	219,000
TOTAL		**503**		**1,091,580**
4 Schaefer Park	Lift equal to and greater than 3"	102	3,900	397,800
	Lifts equal to 2" and less than 3"	98	3,490	342,020
	Lifts equal to 1" and less than 2"	417	2,200	917,400
	Lift less than 1"	274	1,500	411,000
TOTAL		**891**		**2,068,220**
5 Fairway Park Rancho Verde	Lift equal to and greater than 3"	20	3,900	78,000
	Lifts equal to 2" and less than 3"	40	3,490	139,600
	Lifts equal to 1" and less than 2"	264	2,200	580,800
	Lift less than 1"	714	1,500	1,071,000
TOTAL		**1,038**		**1,869,400**
6 Tennyson Road South	Lift equal to and greater than 3"	9	3,900	35,100
	Lifts equal to 2" and less than 3"	36	3,490	125,640
	Lifts equal to 1" and less than 2"	165	2,200	363,000
	Lift less than 1"	86	1,500	129,000
TOTAL		**296**		**652,740**

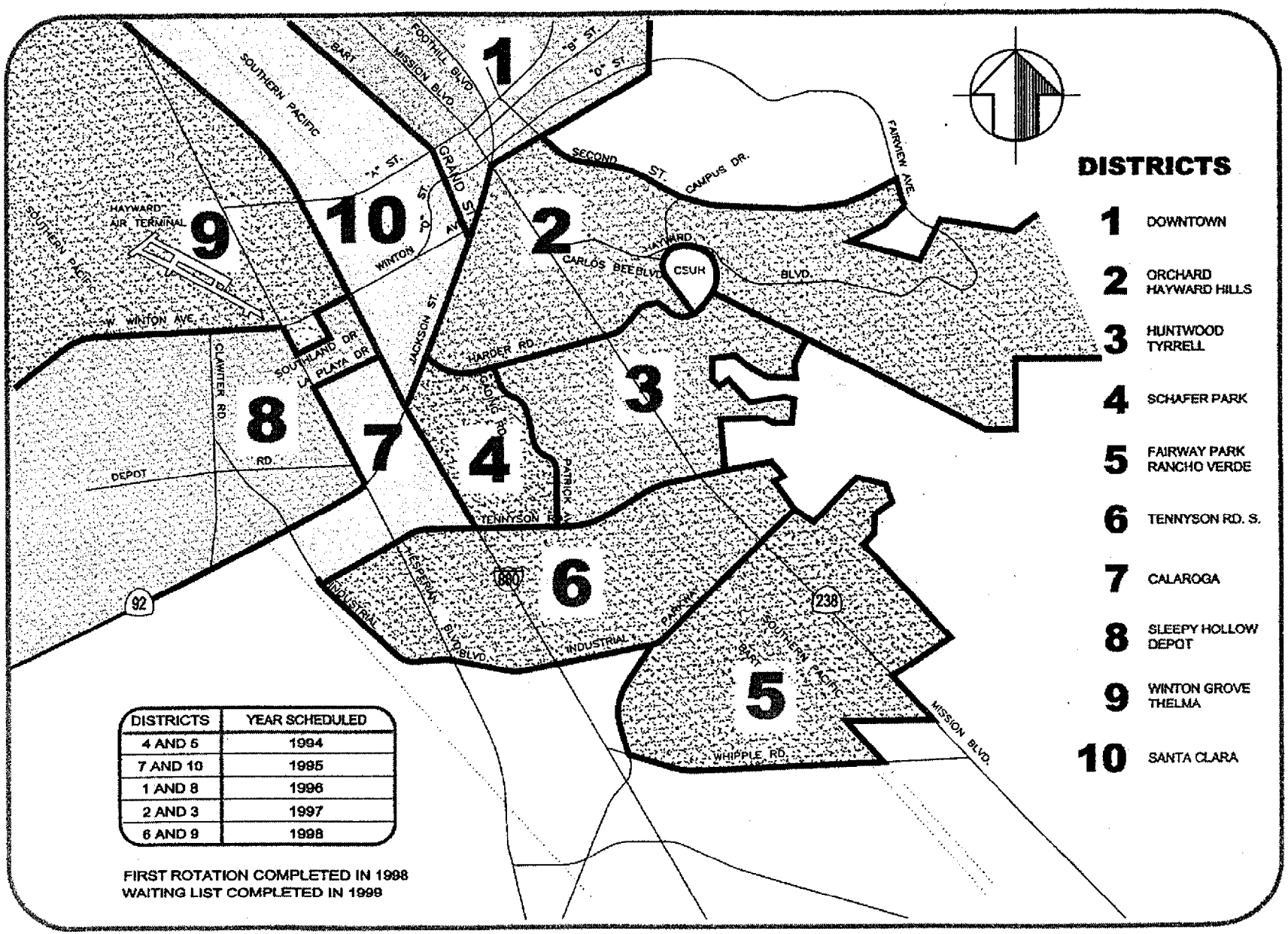
Exhibit B

SUMMARY OF SIDEWALK REHABILITATION
FUTURE IDENTIFIED NEEDS

DISTRICT NUMBER	STATUS	NO. OF LOCATIONS	UNIT COST	TOTAL COST
7 Calaroga	Lift equal to and greater than 3"	69	3,900	269,100
	Lifts equal to 2" and less than 3"	84	3,490	293,160
	Lifts equal to 1" and less than 2"	554	2,200	1,218,800
	Lift less than 1"	103	1,500	154,500
TOTAL		**810**		**1,935,560**
8 Sleepy Hollow Depot	Lift equal to and greater than 3"	14	3,900	54,600
	Lifts equal to 2" and less than 3"	43	3,490	150,070
	Lifts equal to 1" and less than 2"	292	2,200	642,400
	Lift less than 1"	190	1,500	285,000
TOTAL		**539**		**1,132,070**
9 Winton Grove Thelma	Lift equal to and greater than 3"	8	3,900	31,200
	Lifts equal to 2" and less than 3"	23	3,490	80,270
	Lifts equal to 1" and less than 2"	170	2,200	374,000
	Lift less than 1"	167	1,500	250,500
TOTAL		**368**		**735,970**
10 Santa Clara	Lift equal to and greater than 3"	64	3,900	249,600
	Lifts equal to 2" and less than 3"	70	3,490	244,300
	Lifts equal to 1" and less than 2"	254	2,200	558,800
	Lift less than 1"	349	1,500	523,500
TOTAL		**737**		**1,576,200**

TOTAL OF EACH LIFT IN ALL DISTRICT				
DISTRICTS 1 T0 10	Lift equal to and greater than 3"	340	3,900	1,326,000
	Lifts equal to 2" and less than 3"	478	3,490	1,668,220
	Lifts equal to 1" and less than 2"	2,885	2,200	6,347,000
	Lift less than 1"	2,411	1,500	3,616,500
TOTAL		**6,114**		**$ 12,957,720**

Exhibit C


DISTRICTS
1 DOWNTOWN
2 ORCHARD HAYWARD HILLS
3 HUNTWOOD TYRRELL
4 SCHAFER PARK
5 FAIRWAY PARK RANCHO VERDE
6 TENNYSON RD. S.
7 CALAROGA
8 SLEEPY HOLLOW DEPOT
9 WINTON GROVE THELMA
10 SANTA CLARA
SOUTHERN PACIFIC
BART
FOOTHILL BLVD
MISSION BLVD
"B" ST.
"D" ST.
"A" ST.
GRAND ST.
SECOND ST.
CAMPUS DR.
FAIRVIEW AVE.
HAYWARD AIR TERMINAL
WINTON AVE.
JACKSON ST.
CARLOS BEE BLVD
CSUH
HAYWARD BLVD.
HARDER RD.
SOUTHLAND DR
PLAYA DR
CLAWITER RD
DEPOT RD.
TENNYSON RD.
PATRICK AVE.
INDUSTRIAL BLVD
WESTFRAN BLVD
PARK WAY
WHIPPLE RD.
MISSION BLVD.
92
880
238
DISTRICTS | YEAR SCHEDULED
4 AND 5 | 1994
7 AND 10 | 1995
1 AND 8 | 1996
2 AND 3 | 1997
6 AND 9 | 1998
FIRST ROTATION COMPLETED IN 1998
WAITING LIST COMPLETED IN 1999